

UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

United States of America
v.

David Finkel

Defendant(s)

Case No.

1:25-mj-0588-MKK

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 16, 2024 and June 5, 2025 in the county of Shelby in the
Southern District of Indiana, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 2251(a)	Sexual Exploitation of Minor Victim 1 (04/16/2024)
18 U.S.C. § 2252A(a)(5)(B)	Possession of Child Pornography (06/05/2025)

This criminal complaint is based on these facts:

See attached Affidavit.

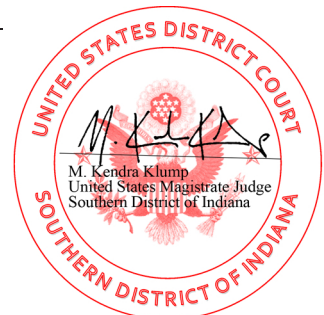
☒ Continued on the attached sheet.

/s/ Michael Pekala

Complainant's signature

Michael Pekala, FBI

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by
telephone (reliable electronic means)Date: 06/13/2025City and state: Indianapolis, IN

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Michael Pekala, being duly sworn, hereby depose and state as follows:

1. **Affiant:** I have been employed as a special agent of the Federal Bureau of Investigation (FBI) since September 2010 and am currently assigned to the Indianapolis Division Child Exploitation and Human Trafficking Task Force. While employed by the FBI, I have investigated federal criminal violations related to high technology or cybercrime, child exploitation, and child pornography. I have gained experience through training at the FBI Academy and everyday work relating to conducting these types of investigations. I have received training in the area of child pornography and child exploitation and have had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of media including computer media. Moreover, I am a federal law enforcement officer who is engaged in enforcing the criminal laws, including 18 U.S.C. §§ 2251, 2252, 2252A, and 2243, and I am authorized by law to request an arrest warrant.

2. **Information provided:** The statements in this affidavit are based on information obtained from my observations and communications, as well as information learned from other law enforcement officers and witnesses. Because this affidavit is being submitted for the limited purpose of securing an arrest warrant and criminal complaint, I have not included each and every fact known to the investigators concerning this investigation. I have set forth only the facts that I

believe are necessary to establish probable cause that **DAVID FINKEL (FINKEL)** has committed a criminal offense.

3. **Probable Cause:** For the reasons listed below, there is probable cause to believe that DAVID FINKEL (FINKEL) DOB xx-xx-1960 (known to affiant, but redacted) has committed the following offense in the Southern District of Indiana and elsewhere:

A. **Count 1: Sexual Exploitation of Minor Victim 1**, in violation of Title 18, United States Code, Section 2251(a), on or about April 16, 2024.

B. **Count 2: Possession of Child Pornography**, in violation of Title 18, United States Code, Section 2252A(a)(5)(B), on or about June 5, 2025.

PRESENT INVESTIGATION AND PROBABLE CAUSE

24. DAVID FINKEL, date of birth XX/XX/1960, known but redacted, resides in Shelbyville, Indiana, which is within the Southern District of Indiana. Minor Victim 1, date of birth XX/XX/2011, known but redacted, is a real child residing in Missouri. Minor Victim 2, date of birth XX/XX/2008, known but redacted, is a real child residing in Pennsylvania.

25. On or about April 23, 2024, Daviess County Missouri Sheriff's Department received a complaint from Witness One ("W1"), who is the mother of Minor Victim 1 ("MV1"). W1 told Daviess County Sheriff's detectives that she had discovered sexually explicit messages on MV1's cell phone. W1 stated that she observed sexually explicit images and videos of MV1 on MV1's cellphone that were

being shared via text message. W1 consented to a search of MV1's cell phone for a further review of the messages.

26. On April 24, 2024, MV1's cell phone was submitted to the United States Secret Service ("USSS") for a forensic examination and analysis.

27. On May 14, 2024, the Daviess County Sheriff's office retrieved a thumb drive containing the completed forensic examination of MV1's cell phone from the USSS. A Daviess County Sheriff's Detective reviewed the forensic examination of MV1's cell phone and determined that the investigation should be referred for potential federal prosecution due to possible victims and/or subjects residing outside the State of Missouri.

28. On or about June 21, 2024, agents met with Daviess County Sheriff's detectives in Gallatin, Missouri regarding their investigation, and obtained copies of all the Daviess County Sheriff's reports and a thumb drive containing a copy of the forensic examination of MV1's cell phone.

29. On June 23, 2024, the FBI field office in Kansas City, Missouri opened an investigation into possible violations of 18 U.S.C. §§ 2251(a), 2252A(a)(2)(A), and 2252A(a)(5)(B).

REVIEW OF MINOR VICTIM 1's CELLULAR PHONE

30. On or about July 10, 2024, FBI Missouri agents conducted a review of the extraction and the communications between MV1 and unknown subjects. Law enforcement identified one of the participants in the following conversation, which is

a minor male residing in the state of Pennsylvania, hereinafter referred to as Minor Victim 2 (“MV2”). The following is a summary of the communications.

April 14, 2024, Communication between MV1 and MV2

MV1 – Just laying in bed U?

MV2 – Same

MV1 – Wish I was with u

MV2 – I would take a pic but I am so ugly. And same

MV1 – Your so hot what do you mean

MV2 – *(MV2 sent an image of what appears to be a selfie of a minor male. This image depicted a shirtless male. The male’s face is visible in the image. No nudity is depicted in this image.)*

31. Between April 14, 2024, and April 20, 2024, MV1 and MV2 continued texting, and the conversation became sexual in nature, with both MV1 and MV2 distributing sexually explicit images of themselves to each other.

**FINKEL, USING A FALSE IDENTITY, BEGINS COMMUNICATING
ONLINE WITH MV1 and MV2**

32. On April 16, 2024, MV2 asked MV1 if MV2 could invite an adult friend to participate in the conversation. MV2 informed MV1 that MV2 found an adult female online, named “Emma,” who was 27 years old.

33. On April 16, 2024, MV2 created a group chat with MV2, MV1 and an individual using telephone number, 440-295-3775.

34. The following is a summary of the group message between MV1, MV2 and telephone number 440-295-3775 (later identified as set forth below as FINKEL).

Communication between MV1, MV2, and FINKEL on April 15, 2024, at 10:31 p.m. CST

MV2 – Hey

FINKEL, using 440-295-3775 – Hi guys (*Finkel sent an image of what appears to be an adult female. This image depicted a selfie of an adult woman's face and breasts while wearing a bra. The adult woman's nipples are partially visible in the image*)

MV2 – She is in the shower I think

FINKEL, using 440-295-3775 – Pic of you? Did you get mine? You there?

MV2 – (*MV2 sent an image of what appears to be MV2's erect penis in the shower*)

FINKEL, using 440-295-3775 – I need that in my mouth. What do you think? You sure she wants to do this?

MV2 – I think

FINKEL, using 440-295-3775 – I hope!! I want to suck her nipples. You still horny?

MV2 – Same

FINKEL, using 440-295-3775 – Want to fuck me?

MV2 – Ig yea

FINKEL, using 440-295-3775 – I'd like to watch you fuck Olivia ("*Olivia*" was the name MV1 used to conceal MVT's true identity online and is not her true name.)

MV2 – Bet

FINKEL, using 440-295-3775 – So we gonna chat?

MV2 – When she gets back

440-295-3775 – (*440-295-3775 sent an image of what appears to be an adult female covering her breasts with her hands.*)

MV2 – Why does it look fake

FINKEL, using 440-295-3775 – For Olivia. I screen shot from a video I did. You guys probably don't do those

MV2 – We do

FINKEL, using 440-295-3775 – You are more mature than I thought. Doesn't look like she'll be here tonight.

MV2 – Hey

MV1 – Hey

FINKEL, using 440-295-3775 – Hi. Olivia?

MV1 – Yeah

MV2 – *(MV2 sent an image of what appears to be MV2's erect penis)*

FINKEL, using 440-295-3775 – Nice to meet you

MV1 – I need that in my pussy. Nice to meet you too

FINKEL, using 440-295-3775 – Would you like to see more? *(FINKEL sent an image of what appears to be an adult female in the shower. No nudity is depicted in this image).*

MV1 – yeah

FINKEL, using 440-295-3775 – [MV2's] cock looks nice this morning. *(FINKEL sent two different images of what appears to be an adult female in the shower. The adult female breasts are visible in these images.)*

FINKEL, using 440-295-3775 – Olivia, should we suck it?

MV1 – yeah

MV2 – damn at the same time.

MV1 – yeah

FINKEL, using 440-295-3775 – Yes!! I want to feel it in the back of my throat while Olivia is holding it. [MV2,] you will have a tough choice.

MV1 – *(MV1 sent an image of herself laying on a bed. This image depicts MV1 completely nude with her breasts and genitals visible.)*

FINKEL, using 440-295-3775 – You are beautiful!!!

MV2 – Can we see your ass amma.

FINKEL, using 440-295-3775 – I want to feel my tongue inside you. (*FINKEL sent an image of what appears to be an adult female leaning over a bed. The adult female is nude with her genitals exposed.*) This is an old pic of me. Olivia, did [MV2] tell you I like anal sex?

MV1 – Nope he didn't, you ass is so hot

FINKEL, using 440-295-3775 – Can I see more of you two? It feels so good. You will have to try it. Hello? You there?

MV1 – (*MV1 sent an image of what appears to be MV1's vagina. MV1 used her hand to spread her vagina open. The genitals of MV1 are the center focal point of the image.*)

FINKEL, using 440-295-3775 – Yum. I want to lick you!! Olivia, would you sit on my face.

MV1 – Yes

FINKEL, using 440-295-3775 – Olivia can I lick you ass? (*FINKEL sent an image of the genitals of what appears to be an adult female.*)

MV1 – yeah

Communications on April 16, 2024, at approximately 6:00 am CST

MV2 – Olivia do u have school today

MV1 – yeah

MV2 – same lol

MV1 – Lol. What time do u go to school?

MV2 – We going to be doing this in school. I am on the way right now.

FINKEL, using 440-295-3775 – MV2, did you cum?

MV2 – Yes a lot

FINKEL, using 440-295-3775 – Did you take a pic?

MV2 – oh I did not cum today. I have videos from before. *(MV2 sent a 14 second video of what appears to be MV2 masturbating. MV2 ejaculates in the video.)*

FINKEL, using 440-295-3775 – YUM

Communications on April 16, 2024, at approximately 12:36 pm CST

FINKEL, using 440-295-3775 – Hi friends!

MV2 – Hi

FINKEL, using 440-295-3775 – you two have made me horny all day.

MV2 – Good lol

FINKEL, using 440-295-3775 – I hope Olivia joins us

MV2 – Yea. We in school.

MV1 – Hey

MV2 – I am at track. Srry

Communications on April 16, 2024, at approximately 5:30 pm CST

FINKEL, using 440-295-3775 – You both going to be naughty tonight?

MV2 – wyd you guys doing

FINKEL, using 440-295-3775 – dreaming about Olivia, you. You be nice to suck your cock as it comes out of Olivia's pussy.

Communications on April 16, 2024, at approximately 10:35 pm CST

FINKEL, using 440-295-3775 – Anyone want to lick? *(FINKEL sent an image of and adult female spreading her vagina utilizing her hand. The vagina is the focal point of the image.)*

MV2 – I want to fuck it with my mouth. That's so hot

FINKEL, using 440-295-3775 – yes and you cock I hope. Olivia?

MV1 – Yeah

FINKEL, using 440-295-3775 – would you lick me?

MV2 – More Pics

FINKEL, using 440-295-3775 - I want to bury my face in your pussy

FINKEL, using 440-295-3775 - Olivia. I've got two fingers in my pussy. Can you do that?

MV1 – Yeah I'd lick you

FINKEL, using 440-295-3775 - *(FINKEL sent an image of an adult female inserting two fingers into her vagina.)*

MV2 – *(MV2 sent an image of MV2 holding his erect penis.)*

MV1 – *(At approximately 10:42:07 pm CST, MV1 sent an image of herself, inserting two fingers into her vagina. MV1 appears to be wearing a gray shirt and two wrist bands in the image. The focal point of the image is MV1's vagina. An image file matching the file sent to Finkel was located during a forensic examination of MV1's cellular telephone. The image file, titled 4450999179305267986.jpg, was located in the trash folder of the device. The image was created on or about April 16, 2024 at 10:41:48 pm CST.) (COUNT 1)*

FINKEL, using 440-295-3775 – Good girl!!

MV2 – oh yeah

FINKEL, using 440-295-3775 – Olivia I want to lick you

Communications on April 17, 2024, at approximately 6:02 pm CST

MV1 – Do you want me to send a video?

MV2 - Omgggg yessss pleaseeee babyyy

MV1 – Oaky baby *(MV1 sent a video approximately 2 seconds that depicts a red phallic object being inserted into her vagina)*. It might be weird bc the video was too long so I had to make it shorter.

FINKEL, using 440-295-3775 – You 2 make me sooo wet

MV1 – Same

MV2 – I would say same but Lol. I am hard though.

FINKEL, using 440-295-3775 - I am out and about right now, but I hope to make a video tonight.

FINKEL, using 440-295-3775 – I can't get my video to load :(.

Communications on April 18, 2024, at approximately 5:59 pm CST

FINKEL, using 440-295-3775 – I'm gonna masturbate right now

MV1 – Can I see?

FINKEL, using 440-295-3775 – Can I have a pic? I'm thinking of you

MV1 – Of what?

FINKEL, using 440-295-3775 – your soft hands on me. Boobs!!

MV1 – Okay (*MV1 sent an unclothed image of her breasts*)

MV1 – can I see u?

FINKEL, using 440-295-3775 - Yum

Communications on April 19, 2024, at approximately 8:00 am CST

MV2 – Can you try to send a shorter video

MV2 – (*MV2 sent an image that depicts MV2 in the shower holding his erect penis.*)

FINKEL, using 440-295-3775 – little?!

MV2 – what

MV1 – huh?

FINKEL, using 440-295-3775 – Seeing [MV2} rub his cock, what do you think

FINKEL, using 440-295-3775 –I shortened it to 3 seconds. Still wont load

MV1 – That sucks

MV2 – Do you have Instagram

FINKEL, using 440-295-3775 – hold on. Let me try something. Do you have Kik? Videos work there

MV2 – No

MV1 - Nope

Communications on April 19, 2024, at approximately 6:43 pm CST

FINKEL, using 440-295-3775 – Hi, I had an orgasm thinking of you both

MV2 – When

FINKEL, using 440-295-3775 – I was sitting on Olivia's face, while MV2 had his cock in my mouth

MV2 – I wish I could

FINKEL, using 440-295-3775 –I'm so horny I could cum again

MV2 – I am in school

FINKEL, using 440-295-3775 – I Need to see those black painted fingernails of Olivia disappear in my pussy. Your gonna get hard!!! Thinking of my mouth on your cock. While I feel your girlfriends tongue in my cunt.

MV2 – Yes

FINKEL, using 440-295-3775 – Making a mess on her face

Communications on April 19, 2024, at approximately 6:50 pm CST

FINKEL, using 440-295-3775 – I think we need to see Olivia's boobs. What do you think MV2?

MV2 – Yes please

FINKEL, using 440-295-3775 – Up to her now

MV1 – I would love to but I'm at my friends house right now. But here's a pic from a while ago. *(MV1 sent an image of her breasts.)*

FINKEL, using 440-295-3775 – I want to see you holding them. I love that

MV1 – Thanks baby

FINKEL, using 440-295-3775 – I Want to lick them

Communications on April 20, 2024, at approximately 8:16 am CST

FINKEL, using 440-295-3775 – would you fuck me?

MV2 – Of course

FINKEL, using 440-295-3775 – Olivia and I will lay side by side. We will kiss ass you go from my pussy to hers and back again and then I can eat both of you at the same time. Tell me your fantasy.

MV1 – That's hot

FINKEL, using 440-295-3775 – yes.

MV2 - U just said it

FINKEL, using 440-295-3775 – Olivia, it will feel good. Can I see you two? I want to cum again

MV1 – I'm at my friend's house right now

MV2 – Even better

FINKEL, using 440-295-3775 – *(440-295-3775 sent a selfie image of an adult female wearing a bra.)*

MV2 – take that off

FINKEL, using 440-295-3775 – Yes [MV2]!!!

MV2 – let me take one

MV1 – yea

MV2 – Olivia can we see your friend

MV1 – sure

FINKEL, using 440-295-3775 – *(440-295-3775 – sent a selfie image of an adult image. The face and breasts are visible.)*

MV2 – damn

FINKEL, using 440-295-3775 – So??

MV2 – there so big

MV1 – fr

FINKEL, using 440-295-3775 – I want to see you two!

MV2– is your frind hot

MV1 – sometimes lol

MV2 – wdym

MV1 – sometimes she looks hot other times not really

MV2 – can we see

FINKEL, using 440-295-3775 – would you like to fuck her? Lick her juicy pussy?

MV1 – idk maybe

MV2 – lets see her baby

FINKEL, using 440-295-3775 – lets see her. You can show her me. That ok. She needs you!!

MV2 – *(MV2 sent an image of MV2's erect penis)*

MV1 – *(MV1 sent a selfie image on unknown minor female. No nudity is depicted in this image.)*

MV1 – she says she doesn't look that good in it

MV2 – no shes cute

FINKEL, using 440-295-3775 – Cute!!!

MV1 – she said thanks

FINKEL, using 440-295-3775 – lets fuck her

MV2 – she know about us?

MV1 – she knows about you

FINKEL, using 440-295-3775 – me?

MV2 – foursome

FINKEL, using 440-295-3775 – Kiss her

MV2 – video it

FINKEL, using 440-295-3775 – show her my pic. Tell her we want her to join us

MV2 – same

FINKEL, using 440-295-3775 – tell us. Are you getting wet Olivia?

MV1 – yeah

FINKEL, using 440-295-3775 – You need to let her know

MV1 – okay

FINKEL, using 440-295-3775 – Did you show her my pics? See if shed like to suck my tits?

MV1 – she said sure

FINKEL, using 440-295-3775 – Yum. Take a pic of her boobs. Tell her I would suck them. You need to rn. Show her yours

MV1 – she doesn't want me to take a pic of her boobs bc she doesn't have any lol

FINKEL, using 440-295-3775 – I love that!!! Tell her that makes me wet. You need to suck them

FORENSIC INTERVIEW OF MV1

35. On May 29, 2024, MV1 was forensically interviewed at the North Central Missouri Children's Advocacy Center, in Trenton, Missouri. During the

interview, MV1 stated that she met a 15-year-old boy online (MV2) who lived in Pennsylvania. MV1 described sending images of her breasts and her vagina in various stages of dress and undress to MV2. MV1 was unable to provide a specific time for her communications with MV2.

36. During the interview, MV1 stated that MV2 invited MV1 to take part in a “three-way conversation” with an individual whom MV2 had identified as an adult female. MV1 did not recall the adult female’s name or age but believed she was a lot older than MV1. MV1 described the conversation as MV2 and the adult female asking for “nudes” from each other. MV2 and the adult female asked MV1 for “nudes,” which MV1 ultimately sent.

37. MV1 stated that MV1 received images of the adult female’s face, breasts, and vagina via text message. MV1 stated the adult female asked MV1 to send pictures of her breasts, which MV1 did. The forensic interviewer inquired whether the adult female asked to see any other parts of MV1’s body, which MV1 replied, “I don’t think so.”

FORENSIC INTERVIEW OF MV2

38. On or about July 29, 2024, law enforcement served an administrative subpoena to Verizon wireless requesting the subscriber records for the telephone number associated with MV2. Through investigative means and subscriber records produced by Verizon, law enforcement identified MV2, who was born in 2008 and resides in Pennsylvania.

39. On September 26, 2024, MV2 was interviewed at the Children's Advocacy Center in Franklin County, Pennsylvania. During the interview, MV2 was shown a series of printed images from the forensic extraction of MV1's device. MV2 confirmed MV2's phone number as the number as depicted in the communications. MV2 was shown messages from the group chat which contained the telephone number associated with MV1 and 440-295-3775 (FINKEL).

40. MV2 stated that either MV2 or MV1 had met the user of telephone number 440-295-3775 on a website called "Y99."¹

41. MV2 stated that MV2 had probably met MV1 and 440-295-3775 on an application called "Y99" a few days prior to when the communications via text he was shown began, prior on "Y99". During the interview, MV2 stated that he probably talked about "inappropriate stuff," which included sending pictures. MV2 stated that it was "probably" his idea to first send pictures and used "Y99" and/or regular phone text message. MV2 was shown a printed image of the chat communications, which documented MV2 stating, "can we see your ass, Emma." MV2 did not specifically remember Emma by name at the time of the interview but recalled that MV2 may have met "Emma" on "Y99."

42. MV2 stated that MV2 believed that "Emma" knew MV1 and MV2's ages.

43. MV2 said that MV2 (and not MV1), would have been the person who told "Emma" MV1's age. MV2 stated that he was not sure whose idea it was to add

¹ Y99 is a chatting site for freeman, random online international chat rooms (private and group) without registration or sign up, per their website.

another person to their chats. MV2 also stated that MV2 and MV1 had been trying to add someone with whom to chat and send pictures when MV2 met “Emma” online.

44. MV2 recalled sending sexually explicit images of MV2 in the group chat with MV1 and the individual using telephone number 440-295-3775. He further recalled receiving sexually explicit images of MV1 and from the individual using telephone number 440-295-3775.

IDENTIFICATION OF DAVID FINKEL

45. Through investigate means, the telephone number 440-295-3775 was determined to be a VOIP number² owned by Inteliquent, Inc.³ and using the internet-based appication “TextMe, Inc.”⁴

46. On November 22, 2024, law enforcement served an administrative subpoena was served to TextMe, Inc. requesting subscriber information for the telephone number 440-295-3775.

² A VoIP number is a real telephone number operating on an internet connection. Voice over IP phone numbers are assigned to a user and not to a physical location. This means you can use your VoIP number anywhere via a VoIP phone app that works on any mobile device or desktop computer.

³ Inteliquent, Inc. is a telecommunications company that provides wholesale voice and messaging services to carriers, cable companies, and wireless providers, essentially acting as a network enabler for communication service providers by offering access to its robust, carrier-grade network for voice calls, toll-free numbers, and messaging services

⁴ TextMe is an easy-to-use messaging application that allows you to send unlimited text, voice, pics, video messages to any mobile phone number in United States, Canada, Mexico and more than 40 countries in the World for free.

47. On November 26, 2024, TextMe produced subscriber information in accordance with the subpoena request, the following is a summary of the information produced.

User id: 282867322

Username: theduoheneage4413

Display Name: theduoheneage4413

Sign up Date (UTC): April 16, 2024, 3:24 a.m.

Last Login (UTC): Nov. 17, 2024, 1:49 p.m.

Birthdate: Jan. 2, 1970, midnight

Email: theduoheneage@gmail.com - *Verified*

IP on signup: 2601:807:100:1aab:812e:d773:f715:f983

Device Id: 58AA3EB8-6A48-43C4-96BB-1E642B66920B

publisher id: 998E75DC-3D99-4D05-BB22-5B14626884B2

IP location from sign up: Longitude: -85.79 / Latitude 39.5084 (*May be inaccurate*)

Last Used IP address: 68.38.91.32 (2024-11-17 13:49:40 UTC)

48. On December 5, 2024, law enforcement served an administrative subpoena was served to Comcast for the following Internet Protocol ("IP") Address:

68.38.91.32 assigned on 11-17-2024 at 13:49:40 UTC

(The above IP address is the last used IP address assigned to VOIP number 440-295-3775.)

49. On December 6, 2024, Comcast produced subscriber information associated with the IP Address, the following is a summary of the information produced.

Subscriber Name: DAVID FINKEL

Service Address: 251 W BROADWAY ST SHELBYVILLE, IN 461761101

Billing Address: 251 W BROADWAY ST SHELBYVILLE, IN 461761101

Telephone #: (317) 398-3136

Type of Service: Internet

Account Number: 8529200620031410

Start of Service: Unknown

Account Status: Disconnected 11-26-2024

IP Assignment: Dynamically Assigned Private Network

E-mail User Ids: DFINKEL_176 (the above user ID(s) end in @comcast.net)

50. On December 6, 2024, law enforcement served an administrative subpoena and non-disclosure order (“NDO”) was served to Google for the email address, theduoheneage@gmail.com. On the same day, Google produced subscriber information for the requested email address, the following is a summary of the information produced.

Google subscriber information

Google Account ID: 831366538417

Name: T Heneage

Given Name: T

Family Name: Heneage

e-Mail: theduoheneage@gmail.com

Created on: 2018-01-07 23:42:45 Z

Account Recovery

Recovery e-Mail: dfinkel251@gmail.com

Recovery SMS: +13174022521 [US]

51. On December 10, 2024, law enforcement served an administrative subpoena and NDO to Google LLC for the email address, dfinkel251@gmail.com. On the same day, Google produced subscriber information for the requested email address, the following is a summary of the information produced.

Google Subscriber information

Google Account ID: 198225345149

Name: David Finkel

Given Name: David

Family Name: Finkel

e-Mail: dfinkel251@gmail.com

Last Updated Date: 2024-12-09 19:44:12 Z

Created on: Created on: 2016-03-02 13:58:39 Z

Account Recovery

Recovery e-Mail: uniphonelpo@gmail.com

Recovery SMS: +13174022521 [US]

52. On December 9, 2024, law enforcement served an administrative subpoena was served to Verizon Wireless for the recovery telephone number, 317-402-2521 (*The phone number, 317-402-2521, is the account recovery Short Message Service ("SMS") phone number for the email address, theduoheneage@gmail.com.*) On December 18, 2024, Verizon produced subscriber information for the requested telephone number, the following is a summary of the information produced.

First Name: David

Last Name: Finkel

Address: 251 W Broadway St, Shelbyville, Indiana 46176

53. A review of the historical text detail message report produced by Verizon indicated that, on the following dates, the telephone number, with subscriber name **DAVID FINKEL**, made successful communications with the VOIP number, 440-295-3775.

Message Send Date	Message Deliver Date	Originating Address	Destination Address
10/31/2024 20:38	10/31/2024 20:38	440-295-3775	317-402-2521
8/4/2024 16:54	8/4/2024 16:54	317-402-2521	440-295-3775
4/21/2024 6:38	4/21/2024 6:38	317-402-2521	440-295-3775
4/21/2024 6:38	4/21/2024 6:38	317-402-2521	440-295-3775
4/21/2024 6:39	4/21/2024 6:39	317-402-2521	440-295-3775
4/21/2024 6:39	4/21/2024 6:39	317-402-2521	440-295-3775
4/19/2024 21:46	4/19/2024 21:46	317-402-2521	440-295-3775
4/16/2024 22:01	4/16/2024 22:01	317-402-2521	440-295-3775

54. As depicted above, the user of telephone number, 317-402-2521, believed to belong to DAVID FINKEL, communicated via text to the TextMe VOIP number, 440-295-3775, a total of 6 times from April 16, 2024, through April 21, 2024.

55. These dates encompass and overlap the user of 440-295-3775 communications with MV1 and MV2. Furthermore, the user of telephone number, 317-402-2521, made additional communications on August 4, 2024, and October 31, 2024.

56. Based on the information described above, I believe that user of 440-295-3775 was David Finkel, and that FINKEL was communicating on TextMe with MV1 and MV2. I further believe FINKEL is the account holder of the verified email address theduoheneage@gmail.com, which has a recovery email, dfinkel251@gmail.com.

57. Further, TextME is an internet- based application that is a facility of interstate commerce because it uses the Internet to send text messages, place, calls, and exchange images, videos, voice and video calls.

PHYSICAL SURVEILLANCE OF FINKEL'S RESIDENCE

58. On or about May 8, 2025, the affiant conducted physical surveillance in the vicinity of the residence of 251 West Broadway Street, Shelbyville, Indiana, which is within the Southern District of Indiana. Law enforcement observed a Lincoln SUV parked in the driveway of the residence. The plate of the SUV returned to a 2016

Lincoln MKX SUV with a registered owner of David Miles Finkel, with a registered address of 251 West Broadway Street, Shelbyville, Indiana.

59. On or about May 9, 2025, law enforcement conducted physical surveillance in the vicinity of the residence of 251 West Broadway Street, Shelbyville, Indiana. The Lincoln was observed parked in the driveway of the residence. At approximately, 8:20 am on the same day, the affiant observed FINKEL departing the residence in the Lincoln MKX SUV.

60. On or about June 3, 2025, a Search Warrant was authorized by a Magistrate Judge in the United States District Court for the Southern District of Indiana (Cause No. 1:25-mj-00521-KMB and 1:25-mj-00522-KMB) for FINKEL's residence and Person.

JUNE 5, 2025, EXECUTION OF SEARCH WARRANT

61. On or about June 5, 2025, the Indianapolis FBI executed the Search Warrant on FINKEL's residence and Person. FINKEL was interviewed at his residence during the search.

62. During the interview of FINKEL, FINKEL confirmed he had a "TextME" number and anonymously chatted with others. FINKEL stated he has been chatting for approximately a year and a half. FINKEL indicated he chatted online using different websites and apps including "Y99", "Chatiw", "Teleguard" and "Discord." FINKEL stated that chatting was fun and explained, "what people do in fantasy is different than what people do in real life". FINKEL admitted he pretended

to be a different gender, different age and has sent sexually explicit images/videos to other adults. FINKEL denied communicating with minors online. Pursuant to the search warrant which authorized law enforcement to obtain from FINKEL the display of physical biometric characteristics (such as fingerprint, thumbprint, or facial characteristics) in order to unlock devices subject to search and seizure pursuant to this warrant, interviewers unlocked the cell phone that FINKEL identified as his cellphone using his biometrics to unlock the device. The interviewers located approximately 35 images/videos that contained child sexual abuse material in a “hidden” folder in the photo album of FINKEL’s device.

63. Pursuit to the search warrant of FINKEL’s residence, the Indianapolis FBI seized several electronic devices and storage media devices including FINKEL’s cellphone, identified as an iPhone 14 with serial number DFVYPG6MJK. The same cellphone unlocked using FINKEL’s biometrics.

64. On or about June 9, 2025, the Indianapolis FBI conducted a data extraction of the iPhone 14 cellphone.

65. FINKEL’s Apple iPhone 14 cellular device was manufactured outside the State of Indiana.

66. Upon reviewing the cellphone extraction, agents discovered numerous sexually explicit images and videos of minor children, including images/videos of infant and toddlers being sexually abused located in the photo gallery and in the “hidden folder” of his cellular device. Those images/videos included the following video files:

<u>File Name (Ending IN)</u>	<u>DISCRIPTION</u>
4E723C44-5FD5-41EB-BCBB-8D787BC4AA84.MOV	A video file approximately 2 minutes and 20 seconds in duration. The title screen of the video reads "Babyfucker Video." The video depicts a compilation of multiple infants being sexually abused by different adult males. Oral, anal, and vaginal penetration of the infants is seen as well as males ejaculating on the infants and inside their mouths. The sound of babies crying can be heard throughout the video as well as male moaning sounds. The video ends with a closing screen that reads, "Baby Fucker Video Baby Rapists."
FC7453C8-A410-465A-A354-EDC5B1E5558A.MOV	A video file approximately 38 seconds in duration. The video depicts an infant, wearing only a diaper, laying on her/his back with an adult male standing over the infant with his erect penis exposed. The male is masturbating over the infant's face with one hand while holding the infant's head/face towards his penis with the other hand. The male can be seen forcibly penetrating the infant's mouth with his penis and ejaculates inside the infant's mouth and on the face. The infant is crying throughout the video. The video appears to be recorded by another person present.
E525454C-7AFF-432C-8297-DF5BEE97C8CA.MOV	A video file approximately 2 minutes and 23 seconds in duration. The video depicts a female child, under the age of five, laying on a bed with her pants off. An adult male is seen initially anally penetrating the child with his erect penis before having the child lay on her back. The male then vaginally penetrates the child with her penis. The video primarily focuses on the genital areas, but the child can be seen sucking her thumb during the video. Near the end of the video, the male is seen ejaculating inside the child's vagina before withdrawing his penis.

67. **Conclusion:** Based upon the contents of this Affidavit, there is probable cause to believe that DAVID FINKEL. has committed the above listed offense. I respectfully request that the Court issue a Criminal Complaint and Arrest Warrant for DAVID FINKEL charging him with the offense listed above.

Respectfully Submitted,

/s/ Michael Pekala
Michael Pekala
Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: 06/13/2025

